

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 21 2022

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RYAN ADAM DIXON,

Plaintiff-Appellant,

v.

ELIZABETH BERNS; MATTHEW SCOTT
GOGUEN; JIE LIANG GOGUEN,

Defendants-Appellees,

and

YVONNE CURTIS; JENNI R.W.
HALLACK; CYNTHIA BUHR; STATE OF
WASHINGTON OFFICE OF THE
ATTORNEY GENERAL; WASHINGTON
STATE BAR ASSOCIATION,

Defendants.

No. 21-35902

D.C. No. 2:21-cv-00070-RSM

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ricardo S. Martinez, District Judge, Presiding

Submitted December 8, 2022**

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: WALLACE, TALLMAN, and BYBEE, Circuit Judges.

Ryan Adam Dixon appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action related to state court proceedings that terminated his parental rights. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal under Federal Rule of Civil Procedure 12(b)(6). *Puri v. Khalsa*, 844 F.3d 1152, 1157 (9th Cir. 2017). We affirm.

The district court properly dismissed Dixon's action because Dixon failed to allege facts sufficient to state any plausible claim. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (to avoid dismissal, "a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face" (citation and internal quotation marks omitted)); *Ashelman v. Pope*, 793 F.2d 1072, 1075 (9th Cir. 1986) (judges are absolutely immune from damage liability for judicial acts).

The district court did not abuse its discretion in dismissing Dixon's action without leave to amend because amendment would have been futile. *See Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1041 (9th Cir. 2011) (setting forth standard of review and explaining that dismissal without leave to amend is proper where amendment would be futile).

We reject as unsupported by the record Dixon's contention that the district court erred by failing to address various motions.

Dixon's motion for voluntary dismissal as to appellees Mathew Scott Gogeun and Jie Liang Goguen (Docket Entry No. 17) is granted. This appeal is dismissed as to appellees Mathew Scott Gogeun and Jie Liang Goguen only. *See* Fed. R. App. P. 42(b). Dixon's motion for proof of admission to practice (Docket Entry No. 8) is denied.

AFFIRMED.